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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION ONE

THE PEOPLE,

Plaintiff and Respondent,

v.

LUIS ALBERTO GOMEZMARTINEZ,

Defendant and Appellant.

B236578

(Los Angeles County
Super. Ct. No. VA117875)

APPEAL from a judgment of the Superior Court of Los Angeles County. Roger T. Ito, Judge. Appeal dismissed.

Mark S. Givens, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

Defendant Luis Alberto Gomezmartinez entered a negotiated plea of no contest to two counts of committing a forcible lewd act upon a child under the age of 14. In conformity with the plea agreement, the trial court sentenced defendant to 12 years in prison. Defendant's plea was based on his conduct with respect to his girlfriend's 11-year-old niece between August of 2009 and August of 2010 in Whittier.

Defendant did not obtain a certificate of probable cause, but filed a timely appeal. We appointed counsel to represent defendant on appeal. After examination of the record, counsel filed an opening brief raising no issues and asking this court to independently review the record. On February 17, 2012, we advised defendant he had 30 days within which to personally submit any contentions or issues he wished us to consider. To date, we have received no response.

Defendant's no contest plea and failure to obtain a certificate of probable cause limit the potential scope of defendant's appeal to "grounds that arose after entry of the plea and do not affect the plea's validity" or "the denial of a motion to suppress evidence under Penal Code section 1538.5." (Pen. Code, § 1237.5; Cal. Rules of Court, rule 8.304(b).) We have examined the entire record and have found that no arguable issues of any sort exist, let alone issues cognizable without a certificate of probable cause. We are satisfied that defendant's attorney has fully complied with his responsibilities. (*People v. Kelly* (2006) 40 Cal.4th 106, 109–110; *People v. Wende* (1979) 25 Cal.3d 436, 441.)

DISPOSITION

The appeal is dismissed.

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MALLANO, P. J.

We concur:

ROTHSCHILD, J.

CHANEY, J.